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RCE/III

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## Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/784,646-Conf. #8184					
Filing Date	February 23, 2004					
First Named Inventor	Joseph P. Errico					
Art Unit	3738					
Examiner Name	B. E. Pellegrino					
Attorney Docket Number	SPINE 3.0-437 CIPCIPCIPCIPCIPCIPCON I					

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

<ol> <li>Submission required under 37 CFR 1.114 Note: If the RCE is proper, a amendments enclosed with the RCE will be entered in the order in which they w applicant does not wish to have any previously filed unentered amendment(s) e amendment(s).</li> </ol>	rere filed unless applicant instructs otherwise. If					
a. Previously submitted. If a final Office action is outstanding, an may be considered as a submission even if this box is not che	y amendments filed after the final Office action cked.					
i. Consider the arguments in the Appeal Brief or Reply Brief p	reviously filed on					
ii. Other						
b. x Enclosed						
i. X Amendment/Reply iii. X Information	Disclosure Statement (IDS)					
ii. Affidavit(s)/Declaration(s) iv. Other						
2. Miscellaneous	1					
a. Suspension of action on the above-identified application is req	uested under 37 CFR 1.103(c) for a					
period of months. (Period of suspension shall not ex						
b. Other	<b>V</b> 14 17					
3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114	when the RCE is filed.					
a. X The Director is hereby authorized to charge the following fees, overpayments to Deposit Account No. 12-1095 . It	any underpayment of fees, or credit any					
i. X RCE fee required under 37 CFR 1.17(e)						
ii. Extension of time fee (37 CFR 1.136 and 1.17)						
iii. Other	09/02/2008 EAREGAY1 00000009 121095 1078464					
b. Check in the amount of \$enc	91 FC:1801 810.00 DA					
c. Payment by credit card (Form PTO-2038 enclosed)						
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
SIGNATURE OF APPLICANT, ATTORNEY, OR	AGENT REQUIRED					
Signature Att C. The	Date August 26, 2008					
Name (Print/Type) William A. Di Bianca	Registration No. 58,653					
I hereby certify that this paper (along with any paper referred to as being attached or enclo	sed) is being deposited with the U.S. Postal Service on					

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: August 26, 2008

Signature: (William A. Di Bianca)

PTO/SB/30 (01-08)

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## Request 10/784,646-Conf. #8184 **Application Number** for February 23, 2004 Filing Date Continued Examination (RCE) Joseph P. Errico First Named Inventor **Transmittal** 3738 Address to: Art Unit Mail Stop RCE B. E. Pellegrino **Commissioner for Patents Examiner Name** P.O. Box 1450 Alexandria, VA 22313-1450 Attorney Docket Number SPINE 3.0-437 CIPCIPCIPCIPCIPCIPCON I

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	a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.									
	i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on									
	ii. Other									
	b. X Enclos	sea mendment/Reply	iii. X Information	Disclosu	ıre Statem	nent (IDS)				
		ffidavit(s)/Declaration(s)								
2. [	Miscellaneou	IS								
	a. Suspe	ension of action on the above-ide	entified application is req	uested u	nder 37 C	FR 1.103(c) for a				
	period	of months. (Period	d of suspension shall not ex	ceed 3 m	onths; Fee	under 37 CFR 1.17(i) required)				
	b. Other									
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a. X The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments to Deposit Account No. 12-1095 . I have enclosed a duplicate copy of this sheet.										
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	ii. Extension of time fee (37 CFR 1.136 and 1.17)									
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	b. Check	in the amount of \$	encl	osed						
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WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.										
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED										
Signat	ture	Att a G		Date	August	26, 2008				
Name	(Print/Type)	William A. Di Bianca		Registra	ation No.	58,653				
the da	by certify that this ate shown below to Alexandria, VA	s paper (along with any paper referred t with sufficient postage as First Class M. 22313-1450.	to as being attached or enclos lail, in an envelope addressed	sed) is bein to: MS R	ng deposited CE, Commis	with the U.S. Postal Service on ssioner for Patents, P.O. Box				

Signature: Dated: August 26, 2008

(William A. Di Bianca)